

STERNS & WEINROTH

A Professional Corporation

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Debtor and Debtor-in-Possession

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

NUTRAQUEST, INC.,
Debtor.

Civil No.: 03-5869 (GEB)

United States Bankruptcy Court
Chapter 11 Case No. 03-44147 (RTL)

In re:

Nutraquest Personal Injury Cases.

NATHAN BOZEAT,
Plaintiff,

Civil Action No.: 04-cv-3259 (GEB)

v.

CYTODYNE TECHNOLOGIES, INC., a
New Jersey corporation; and VITAMIN
WORLD, INC.,
Defendants.

Hearing Date: December 5, 2005
10:00 a.m.

ORAL ARGUMENT WAIVED UNLESS
OPPOSITION FILED

**NOTICE OF MOTION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR
APPROVAL OF THE SETTLEMENT AGREEMENT AND RELEASE
PURSUANT TO FED. R. BANKR. P. 9019 AND FOR RELATED RELIEF**

TO: All Interested Parties

PLEASE TAKE NOTICE that on December 5, 2005 at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, Sterns & Weinroth, A Professional Corporation, attorneys for Nutraquest, Inc., Debtor and Debtor-in-Possession (the "Debtor"), in the above-captioned case, shall move before the Honorable Garrett E. Brown, Jr., Chief Judge, United States District Court for the District of New Jersey, in Courtroom 4E of the Clarkson S. Fisher United States Courthouse and Federal Building, 402 E. State Street, Trenton, New Jersey 08607, for the entry of an Order in the above-referenced litigation approving a certain Settlement Agreement and Release pursuant to Fed. R. Bankr. P. 9019 and granting related relief (the "Motion").

PLEASE TAKE FURTHER NOTICE that objections, if any, to the within Motion shall be filed with the Clerk of the United States District Court (with a courtesy copy mailed directly to the Chambers of the Honorable Garrett E. Brown, Jr., Chief Judge) and served upon Sterns & Weinroth, A Professional Corporation, Attn: Simon Kimmelman, Esq., so as to be received on or before November 21, 2005.

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, the undersigned shall rely upon the Application filed and served simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that the Debtor's Application in Support of the Motion sets forth the legal and factual authority supporting the relief sought. The Debtor respectfully requests that the requirement of a separate memorandum of law be waived.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order was submitted simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby waived unless opposition is filed.

STERNS & WEINROTH
A Professional Corporation
Attorneys for Nutraquest, Inc.,
Debtor and Debtor-in-Possession

By: /s/ Valerie A. Hamilton
Simon Kimmelman
Valerie A. Hamilton

Dated: November 11, 2005